

**FAIRWAY NINE I CONDOMINIUM ASSOCIATION
RULES, REGULATIONS AND ENFORCEMENT POLICIES
Amended
April 15, 2009**

Covenants, Conditions and Restriction, Article VIII, Section 8.5, grants the Board of Directors the authority to establish reasonable rules, guidelines and enforcement policies. These rules and regulations are in addition to, and provide clarification of, those guidelines as stipulated in the Covenants, Condition and Restrictions of the Fairway Nine I Condominium Association.

ARTICLE I General

Section1. Purpose

These Rules and Regulations are published to aid in the governing of Fairway Nine I Condominium Association to promote the health, safety and welfare of Association members. These Rules and Regulations supplement the CC & Rs and Bylaws to provide for the use of the common areas and facilities, the personal conduct of members and guest and the establishment of penalties for infractions.

Section2. Captions and Titles

All captions, titles or headings of the Articles, Sections and paragraphs in these Rules and Regulations are for the purpose of reference and convenience only and are not to be deemed to limit, modify, or otherwise affect any of the provisions of or to be used in determining the intent or context of these Rules.

Section 3. Effective Date

These Rules and Regulations and any subsequent amendments shall be effective on the date adopted by the Boards of Directors of Fairway Nine I Condominium Association unless a later effective date is approved. These Rules and Regulations may be amended or appealed in whole or in part by a majority vote of the Board of Directors.

Section 4. Scope

These Rules and Regulations shall be binding on the Owners and Associate Members and their guests and tenants within the Fairway Nine I Condominium Association they relate to the land and properties within the boundaries of Fairway Nine I Condominium Association.

Section 5. Official Version of Rules and Regulations

The Association Manager shall maintain a current and accurate set of the Association Rules and Regulations, which shall be available for inspection and distribution to Association Members.

Section 6. Service of Notice

Whenever any notice is required by the Rules and Regulation to be served on any person or entity, the mailing of such notice to his or her last know address as shown in the records of the Association, or personal delivery to the person or entity, shall be deemed sufficient compliance.

The following rules and regulations will apply to all owners, guests and tenants of the Association:

**ARTICLE II
Rules & Regulations
Collection & Enforcement**

A. USE AND APPEARANCE OF THE EXTERNAL LIMITED COMMON AREA. The external limited common area consists of each unit's front porch, balconies and decks.

1. The limited common area must be kept in a clean, sanitary and attractive condition at all times. Only neatly stacked firewood, gas barbecues, lawn or outdoor furniture, flower pots and/or baskets, no more than two (2) bicycles and Association approved storage boxes may be stored on the unit's limited common areas. Bicycles should be neatly arranged so as not to detract from the overall neatness of the common area. Bicycles may not be

hung from any portion of the building. Only entry mats and maintained flower pots may be kept on the front porch (condominium entry area). The intent is that all entry door area will be clear of any stored items. The parking of motorized vehicles (motorcycles, mopeds, etc.) on decks is not permitted.

2. The hanging of towels, blankets or clothes on porches, balconies or decks is not permitted.
3. Real Estate signs may not be placed on any portion of the common area or on any part of the building exterior. However, one real estate sign, of standard size, may be displayed from the condominium interior window.

B. USE OF THE COMMON AREA.

1. **Noise:** It is incumbent for all residents of Fairway Nine I to respect their neighbors privacy. The peace and tranquility of Fairway Nine I should be maintained at all times. A special effort must be made to keep noise to a minimum between the hours of 10 P.M. and 8 A.M. Televisions, Radio's and Stereo's should not be played so loud that they disturb neighbors.

2. **Window Coverings:** Standard blinds, curtains or window shades, in good condition, are the only permitted window coverings. Use of flags, sheets, blankets or towels as window coverings is prohibited. No plastic sheeting or reflective coatings may be installed on the exterior or interior of any windows or doors. Window coverings shall be a neutral color approved by the Board of Directors.

3. **Pets:** Subject to the provisions of the American's With Disabilities Act, only owners and residents will be permitted to have a pet on the premises. Only one (1) dog is permitted within a condominium unit. Owners and Residents with dogs will not allow them to roam loose in the common area. Owners and Residents will clean up immediately after pets. No dogs may be tied or staked in the common area. Any damage to the common or limited common areas, caused by a pet, will be the responsibility of the unit owner to pay for all repairs that may be required. Dogs may not be left unattended in the common area. Owners and Residents who allow their dog to disturb the peace and tranquility of Fairway Nine I Owners by constant barking or howling are in violation of Paragraph B. 1. above.

4. **Parking:** Parking at Fairway Nine I is restricted to vehicles of reasonable size taking up no more than one average parking space. Motor homes, RV's, campers, boats, snow machines, personal water craft, all-terrain vehicles, trailers, etc., may not be parked at Fairway Nine I. Parking of unregistered vehicles and vehicles in disrepair are not permitted. No vehicle repairs rendering a vehicle inoperative for more than 24 hours are permitted. Vehicles without a current registration are not permitted. Vehicles parked on grass areas or not moved for snow removal will be towed immediately at the vehicle owners expense. Vehicles may not be parked in one location for more than two weeks. Long term parking, more than two weeks, must have Association approval and keys made available so vehicle can be moved as may be required by Association. Each unit is allowed only two vehicles. Abandoned cars will be towed and impounded at the unit owners/tenants expense. No more than 2 vehicles per unit shall be permitted. The speed limit through the parking area is 10 Miles Per Hour.

5. **Common Area Storage:** Storage of items on any portion of the common area is not permitted.

C. EXTERIOR OR INTERIOR ALTERATION POLICY

1. **Alterations:** No interior/exterior alteration, affecting the common area, or building exterior appearance, shall be made without the express written approval of Architectural Committee and/or the Board of Directors.

2. **Submission of Plans:** All preliminary requests for alterations will include the Fairway Nine I Association Remodel Request Form (see attachment 1) submitted to association management. Owners should be aware that approval for any alteration affecting the common area may take up to 90 days for a Board decision. Owners should take this potential delay into consideration when planning a project. Some projects may already have a standard plan that has been pre-approved by the Association, this may include screen doors, windows & sliding glass door replacement etc. Please contact Association manager before making any alterations.

3. **Construction Times:** All construction work, where excessive noise may be required, shall only be permitted from 8:00 a.m to 6:00 p.m Monday thru Friday, 10:00 a.m. to 6:00 p.m. Saturday's and no construction activity where excessive noise is required is permitted on Sunday's.

4. **Changes and Duration of Approval:** Upon Board/Committee approval Owners may then proceed with construction. If, in the course of construction, changes are made to the approved plans, the owner will be

required to submit changes to the Association for approval. Any alteration that is not approved is subject to remedy by the Association at the individual owner's expense. Approved construction plans shall expire 365 days from the date of initial approval. If owner fails to act upon approved plans, within 365 days of initial approval date, the plans must be resubmitted for Board approval.

5. **Trees, Shrubs and Flowers:** The planting of shrubs, trees or flowers in the common area must be approved by the Landscape Committee and/or Board of Directors prior to installation by the owner.

6. **Dumpster Placement:** Owners may be required to rent a garbage dumpster depending on the extent of the remodel plans. Owners requiring a dumpster during their remodel must receive Board approval on its placement in the common area.

D. POOL & SPA USAGE.

1. **Pool Hours:** Pool & Spa Hours are 8:00 a.m. to 10:00 p.m. The Association Manager has been instructed to contact police and file trespassing charges for individuals in the pool area after hours. If it is a resident using the facility after hours a violation notice will be immediately issued and copied to the unit owner. Any repeat offense within 365 days will result in a violation letter being issued and \$35.00 processing fees applied to owners account in accordance with the violation enforcement policy.

2. **Animals in Pool Area:** Subject to the provisions of the American's With Disabilities Act, no animals of any kind are permitted in the pool and spa area.

3. **Minimum Age:** Anyone under the age of 13 must be accompanied, at all times, by an adult over the age of 18; no exceptions.

4. **Access to Pool Area:** The door to the pool area must remain closed at all times.

5. **Glass Containers:** No glass of any kind allowed, including beverage containers or drinking glasses, in the pool and spa area.

6. **Debris Cleanup:** All debris must be placed in trash container when leaving the area.

7. **Hot Tub Cover:** Please replace the cover on the hot tub after use. This will save on the costs of heating and chemical usage. If using the pool and hot tub simultaneously please use the bubble cover on hot tub while in the pool.

8. **Who May Use Facilities:** The pool is for the sole use of the residents of Fairway Nine Condominium Associations. All guests not accompanied by the unit owner shall be required to have a valid pool key in their possession. All others will be considered trespassers and pursued according to item #1 above.

9. **Posted Rules:** In addition to these rules as outlined above, Owners, Guests and Tenants must adhere to those rules and regulations posted in the pool and spa areas.

E. COLLECTION POLICY.

There is a need to establish a policy to insure that the timely collection of Association charges are accomplished in a reasonable and diligent manner, and to fulfill the Board of Directors fiscal obligations to the Association membership. It is the intent of the Board of Directors to establish a collection policy that is standard and equitable for all Association members that are past due on assessments and charges issued by the Association. The collection policy outlined below shall be the standard collection procedures utilized by the Board of Directors or its authorized agent in collection past due Association assessments and charges:

1. **Due Date:** All accounts are due and payable and must be received by the authorized agent by the last day of the month of the current billing cycle. 1st Quarter – September 30, 2nd Quarter - December 31, 3rd Quarter – March 31 and the 4th Quarter – June 30.

2. **Demand Letter:** On the 15th of the month following the current billing month, (October 15, January 15, April 15 & July 15) a Certified Mail demand letter, stating that a lien will be filed on the 20th of the following month (November 20, February 20, May 20 & August 20), will be sent to all owners who are delinquent in paying their member assessments. A charge of \$35.00 will be applied to the Owner Account along with accrued interest at the Board approved interest rate.

3. **Lien Filing:** If payment of Association assessments and charges has not been received by the 20th of the month following as indicated above, a lien will be filed to protect the Association's interest and a \$100 lien and processing fee will be applied to the owners account. The owner will receive an updated dues statement and lien notification.

4. **Foreclosure Proceedings:** If, after 45 days of filing a lien, payment in full has still not been received, the records will be given to legal counsel to initiate foreclosure of the subject property. An additional charge of \$100.00 will be applied to the owner's account, as well as all legal expense incurred in foreclosure proceedings.

5. **Interest Rate:** Interest of 18% per annum will be applied to all past due accounts.

6. **Payment Plans and Reversing Charges:** Only the Board of Directors can approve payment plans, or reverse charges applied, on delinquent accounts. Requests and/or outline for a payment plan must be submitted in writing to the Board of Directors.

Owners please be aware that the collection policy is not an attempt to harass or intimidate owners, but rather an attempt by the Board to fulfill their fiscal responsibility on behalf of all the owners. Prompt payment of dues and assessments allows the Board the ability to maintain the property in a standard appreciated by everyone and pay vendors providing services in a timely manner.

F. RULES ENFORCEMENT POLICY:

There is a need to establish a policy for rules enforcement to assure compliance with the Covenants, Conditions, Restrictions and Rules and Regulations of the Association. The Board is given the authority within the Declarations to establish reasonable rules and enforcement policies that includes monetary charges for violations. It is the intent of the Board of Directors to establish the following policy to insure compliance of Association governing documents and properly adopted rules & regulations:

1. **Written Warning:** The resident of the condominium will receive a written warning requesting that any violation be remedied or removed within three (3) days. This notice will be hand delivered to the resident or posted on the unit door. A copy of the letter will be sent to the unit Owner via US Mail.

2. **Notification Letter:** After three (3) days if the violation remains, a notification letter will be sent to the Owner via Overnight Certified Mail (Return Receipt), allowing an additional 4 days to remove the violation or request a Board hearing by the specified date. A \$35.00 processing fee will be applied to the unit owners account as a result of this letter. The Owner will be given the opportunity to schedule a Board hearing regarding the violation and fees applied to their account.

3. **Violation Fines Per Day:** If after four(4) days the violation remains and a request for Board hearing has not been received from the owner, a \$50.00 per day charge will be applied to the owners account until the violation is removed.

4. **Violation Reoccurrence:** If the violation reappears within 365 days of the original notification, a letter will be sent to the owner, a \$35.00 fee will be automatically applied to the Owner's account, and violation fines will be applied as indicated in item #3 above.

5. **Collection:** Collection of violation charges will be in accordance with the Regular and Special Assessment Collection Policy as outlined in Section E: Collection Policy.

6. **Owner Responsibility:** Management personnel do not have the authority to reverse charges once applied to the owners account. Owners must request in writing and/or attend a Board hearing regarding violations and charges applied to their accounts.

7. **Waiving of Penalties and Charges:** The Board of Directors, in their sole discretion by majority vote, may waive any fees and/or charges applied to Owners account as a result of any violation.

Owners please be aware that the Rules Enforcement Policy is not intended to harass or intimidate Owners, but rather an attempt by the Board to maintain the common area property in a manner appreciated by everyone. Owner cooperation in promptly removing a violation, when notified of such by the Association, is greatly appreciated.